

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CEDRIC IVORY,

Petitioner,

v.

CASE NO. 04-CV-71279-DT
HONORABLE VICTORIA A. ROBERTS

ANDREW JACKSON,

Respondent.

_____ /

ORDER DENYING MOTION FOR RECONSIDERATION

Petitioner has filed a motion for reconsideration concerning this Court's denial of his "Request for Provisional Ruling" which sought further review of the Court's denial of his ineffective assistance of counsel claim. The Court denied Petitioner's request without prejudice because his case is pending before the Sixth Circuit.

A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *See Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Petitioner has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(g)(3). Accordingly, the motion is **DENIED**.

s/Victoria A. Roberts

Victoria A. Roberts
United States District Judge

Dated: September 1, 2006

The undersigned certifies that a copy of this document was served on the attorneys of record and Plaintiff by electronic means or U.S. Mail on September 1, 2006.

s/Linda Vertriest
Deputy Clerk